



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT No. (Suo-Motu)1785 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Puri Construction Pvt. Ltd.

....RESPONDENT

CORAM: **Parneet S Sachdev**
 Nadim Akhtar
 Dr. Geeta Rathee Singh

Chairman
Member
Member

Date of Hearing: 12.03.2025

Hearing: 7th

Present: - Adv. Tanika, counsel for the respondent

ORDER (PARNEET SSACHDEV - CHAIRMAN)

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of project registered vide Registration No. HRERA-PKL-FBD-13-2018 dated 04.06.2018 valid upto December 2018.

2. Authority vide its orders dated 28.11.2022 granted 30 days to file online QPRs up to 2nd quarter of the year 2022 failing which promoter will be liable for

penal action u/s 63 of the RERA Act, 2016. Subsequently, the promoter vide reply dated 27.02.2023, informed that they have obtained Occupation Certificate on 24.01.2019.

3. When the matter was heard on 06.03.2023, Authority imposed a penalty of ₹1,000/- per day till the quarterly progress reports are uploaded online (upto first quarter of 2019).

4. The respondent has filed an application on 07.08.2023 seeking review and recall of the orders dated 06.03.2023 and 05.07.2023 which was rejected by the Authority on 04.12.2023 and respondent was accordingly directed to file online QPRs of the project till completion certificate is received. Respondent was directed to deposit said penalty before the next date of hearing. It was further observed that if the respondent is facing any issue with regard to filing of online QPRs, it may file an application to the Authority requesting for user name and password.

5. The matter was heard on 24.07.2024 wherein penalty of ₹1,000/- per day imposed vide order dated 06.03.2023 was enhanced to ₹5,000/- per day till QPRs are uploaded online and respondent was directed to deposit the said penalty before the next date of hearing.

6. The respondent vide application dated 24.07.2024 has sought correction of order dated 04.12.2023 on the ground that the Authority has allowed the application of the respondent for providing Login ID and password for filing QPRs

on 12.06.2023 but said fact has not been recorded in the said order, so said clerical mistake be corrected in the order. Further, the respondent has submitted a demand draft of ₹2,74,000/- bearing no. 528718 dated 23.07.2024 under protest without prejudice to the rights of the applicant. Vide another application dated 07.08.2024, the respondent has submitted a demand draft bearing no. 528741 dated 06.08.2024 for a sum of ₹2,60,000/-.

7. The Authority has gone through the application dated 24.07.2024 seeking correction of order dated 04.12.2023 and observes that the respondent had filed an application on 02.06.2023 for providing User Id and password. Said application was considered by the Authority in its meeting held on 12.06.2023 and Authority decided that same be provided to the promoter. In compliance of said order, fresh username and password was provided to the promoter vide email dated 04.07.2023.

Since, said matter was placed as a separate agenda before the Authority and separate orders were passed, incorporation of the same in present suo motu case in its hearing dated 04.12.2023 was not required.

8. The respondent again filed an application dated 07.08.2024 requesting that username and password be provided to them which was again provided vide email dated 22.08.2024.



9. On the last date of hearing, i.e., 09.10.2024, learned counsel for the respondent stated that they have not received the username and password due to which QPRs could not be filed and requested that penalty imposed upon the respondent be waived of. He requested that same be provided during the course of the day.

10. In view of the above, username and password was provided to the counsel for the respondent in Court. It was observed that, the moment a project is registered, it is the responsibility of the promoter to ensure that all the compliances are made timely. Said project was registered in the year 2018 and respondent has failed to upload QPRs in time due to which show cause notice was issued to the respondent in November 2022. In June 2023, respondent requested for username and password which was duly provided, still the respondent did not file QPRs. Again in August 2024, username and password was provided to the respondent but the respondent still did not file QPRs till date. Therefore, the penalty imposed cannot be waived of. Accordingly, respondent is liable to pay the penalty which cumulatively works out to ₹8,96,000/- (against which a sum of ₹5,34,000/- has already been deposited). However, the penalty will continue till up to date QPRs are filed by the respondent. Respondent is accordingly directed to file up to date QPRs and deposit the said penalty before the next date of hearing.



11. Today, learned counsel for the promoter has informed that QPRs upto September 2024 have been uploaded online on 19.11.2024. The Authority observes that since QPRs have been uploaded upto September 2024, the respondent is liable to pay penalty which cumulatively works out to ₹ 10,96,000 (till 18.11.2024 as QPRs have been uploaded on 19.11.2024). It is also observed that a sum of ₹5,34,000/- has already been deposited by the Promoter. Hence, the Promoter has to deposit Rs. 5,62,000/- in the registry of the Authority before the next date of hearing.

12. Adjourned to 28.05.2025.


.....
Dr. Geeta Rathee Singh
Member


.....
Nadim Akhtar
Member


.....
Parneet S Sachdev
Chairman